

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4508
OFFERED BY MR. ESPAILLAT OF NEW YORK AND
MS. FUDGE OF OHIO**

Strike sections 101 and 102.

At the end of part A of title IV, add the following:

1 **SEC. 408. INVESTING IN STUDENT SUCCESS.**

2 Part A of title IV (20 U.S.C. 1070 et seq.) is amend-
3 ed by adding at the end the following:

4 **“Subpart 11—Investing in Student Success**

5 **“SECTION 420S. SHORT TITLE.**

6 “This subpart may be cited as the ‘Jumpstart on Col-
7 lege Act’.

8 **“SEC. 420T. PURPOSE.**

9 “The purpose of this subpart is to increase the per-
10 centage of students who complete a recognized postsec-
11 ondary credential within 100 percent of the normal time
12 for the completion of such credential, including low-income
13 students and students from other populations that are
14 underrepresented in higher education.

15 **“SEC. 420U. DEFINITIONS.**

16 “In this subpart:

1 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
2 tity’ means an institution of higher education in
3 partnership with one or more local educational agen-
4 cies (which may be an educational service agency).
5 Such partnership may also include other entities
6 such as nonprofit organizations or businesses.

7 “(2) INSTITUTION OF HIGHER EDUCATION.—
8 The term ‘institution of higher education’ has the
9 meaning given the term in section 101.

10 “(3) ESEA TERMS.—The terms ‘dual or con-
11 current enrollment program’, ‘early college high
12 school’, ‘educational service agency’, ‘four-year ad-
13 justed cohort graduation rate’, ‘local educational
14 agency’, ‘secondary school’, and ‘State’ have mean-
15 ings given the terms in section 8101 of the Elemen-
16 tary and Secondary Education Act of 1965 (20
17 U.S.C. 7801).

18 “(4) LOW-INCOME STUDENT.—The term ‘low-
19 income student’ means a student counted under sec-
20 tion 1124(c) of the Elementary and Secondary Edu-
21 cation Act of 1965 (20 U.S.C. 6333(c)).

22 “(5) RECOGNIZED POSTSECONDARY CREDEN-
23 TIAL.—The term ‘recognized postsecondary creden-
24 tial’ has the meaning given the term in section 3 of

1 the Workforce Innovation and Opportunity Act (29
2 U.S.C. 3102).

3 **“SEC. 420V. AUTHORIZATION OF APPROPRIATIONS; RES-**
4 **ERVATIONS.**

5 “(a) IN GENERAL.—

6 “(1) IN GENERAL.—Subject to paragraph (2),
7 there are authorized to be appropriated to carry out
8 this subpart \$250,000,000 for fiscal year 2019 and
9 each of the 5 succeeding fiscal years.

10 “(2) ADJUSTMENT FOR INFLATION.—

11 “(A) IN GENERAL.—The amount author-
12 ized to be appropriated under paragraph (1) for
13 fiscal year 2020 and each of the 4 succeeding
14 fiscal years shall be deemed increased by the
15 annual adjustment percentage.

16 “(B) DEFINITION.—In this paragraph, the
17 term ‘annual adjustment percentage’, as applied
18 to a fiscal year, means the estimated percentage
19 change in the Consumer Price Index (as deter-
20 mined by the Secretary, using the definition in
21 section 478(f)) for the most recent calendar
22 year ending before the beginning of that fiscal
23 year.

1 “(b) RESERVATIONS.—From the funds appropriated
2 under subsection (a) for each fiscal year, the Secretary
3 shall reserve—

4 “(1) 40 percent for grants to eligible entities
5 under section 5;

6 “(2) 55 percent for grants to States under sec-
7 tion 6; and

8 “(3) 5 percent for national activities under sec-
9 tion 8, including administrative costs to carry out
10 such activities.

11 **“SEC. 420W. GRANTS TO ELIGIBLE ENTITIES.**

12 “(a) IN GENERAL.—The Secretary shall award
13 grants to eligible entities, on a competitive basis, to assist
14 such entities in establishing or supporting an early college
15 high school or dual or concurrent enrollment program in
16 accordance with this section.

17 “(b) DURATION.—Each grant under this section shall
18 be awarded for a period of 6 years.

19 “(c) GRANT AMOUNT.—The Secretary shall ensure
20 that the amount of each grant under this section is suffi-
21 cient to enable each grantee to carry out the activities de-
22 scribed in subsection (h), except that a grant under this
23 section may not exceed \$2,000,000.

24 “(d) MATCHING REQUIREMENT.—

1 “(1) IN GENERAL.—For each year that an eligi-
2 ble entity receives a grant under this section, the en-
3 tity shall contribute matching funds, in the amounts
4 described in paragraph (2), for the activities sup-
5 ported by the grant.

6 “(2) AMOUNTS DESCRIBED.—The amounts de-
7 scribed in this paragraph are—

8 “(A) For each of the first and second
9 years of the grant period, 20 percent of the
10 grant amount.

11 “(B) For each of the third and fourth
12 years of the grant period, 30 percent of the
13 grant amount.

14 “(C) For the fifth year of the grant period,
15 40 percent of the grant amount.

16 “(D) For the sixth year of the grant pe-
17 riod, 50 percent of the grant amount.

18 “(3) DETERMINATION OF AMOUNT CONTRIB-
19 UTED.—

20 “(A) IN-KIND CONTRIBUTIONS.—The Sec-
21 retary shall allow an eligible entity to meet the
22 requirements of this subsection through in-kind
23 contributions.

24 “(B) NON-FEDERAL SOURCES.—Not less
25 than half of each amount described in para-

1 graph (2) shall be provided by the eligible entity
2 from non-Federal sources.

3 “(e) SUPPLEMENT, NOT SUPPLANT.—An eligible en-
4 tity shall use a grant received under this section only to
5 supplement funds that would, in the absence of such
6 grant, be made available from other Federal, State, or
7 local sources for activities supported by the grant, not to
8 supplant such funds.

9 “(f) PRIORITY.—In awarding grants under this sec-
10 tion, the Secretary shall give priority to eligible entities
11 that—

12 “(1) propose to establish or support an early
13 college high school or other dual or concurrent en-
14 rollment program that will serve a student popu-
15 lation of which not less than 51 percent are low-in-
16 come students;

17 “(2) are from States that provide assistance to
18 early college high schools or other dual enrollment
19 programs, such as assistance to defray the costs of
20 higher education (including costs of tuition, fees,
21 and textbooks); and

22 “(3) propose to establish or support an early
23 college high school or dual or concurrent enrollment
24 program that meets quality standards established
25 by—

1 “(A) a nationally recognized accrediting
2 agency or association that offers accreditation
3 specifically for such programs; or

4 “(B) a State process specifically for the re-
5 view and approval of such programs.

6 “(g) **EQUITABLE DISTRIBUTION.**—The Secretary
7 shall ensure, to the extent practicable, that eligible entities
8 receiving grants under this section—

9 “(1) are from a representative cross section
10 of—

11 “(A) urban, suburban, and rural areas;
12 and

13 “(B) regions of the United States; and

14 “(2) include both two-year and four-year insti-
15 tutions of higher education.

16 “(h) **USES OF FUNDS.**—

17 “(1) **MANDATORY ACTIVITIES.**—

18 “(A) **IN GENERAL.**—An eligible entity shall
19 use grant funds received under this section—

20 “(i) to support the activities described
21 in its application under subsection (i);

22 “(ii) to create and maintain a coher-
23 ent system of supports for students, teach-
24 ers, principals, and faculty under the pro-
25 gram, including—

1 “(I) college and career readiness,
2 academic, and social support services
3 for students;

4 “(II) professional development
5 for secondary school teachers, faculty,
6 and principals and faculty from the
7 institution of higher education, includ-
8 ing—

9 “(aa) joint professional de-
10 velopment activities; and

11 “(bb) activities to assist
12 such teachers, faculty, and prin-
13 cipals in using effective parent
14 and community engagement
15 strategies and to help ensure the
16 success of students academically
17 at risk of not enrolling in or com-
18 pleting postsecondary education,
19 first-generation college students,
20 and students described in section
21 1111(b)(2)(B)(xi) of the Elemen-
22 tary and Secondary Education
23 Act of 1965 (20 U.S.C.
24 6311(b)(2)(B)(xi));

1 “(iii) to carry out liaison activities
2 among the partners that comprise the eli-
3 gible entity pursuant to an agreement or
4 memorandum of understanding docu-
5 menting commitments, resources, roles,
6 and responsibilities of the partners con-
7 sistent with the design of the program;

8 “(iv) for outreach programs to ensure
9 that secondary school students and their
10 families, including students academically at
11 risk of not enrolling in or completing post-
12 secondary education, first-generation col-
13 lege students, and students described in
14 section 1111(b)(2)(B)(xi) of the Elemen-
15 tary and Secondary Education Act of 1965
16 (20 U.S.C. 6311(b)(2)(B)(xi)), are—

17 “(I) aware of, and recruited into,
18 the early college high school or dual
19 or concurrent enrollment program;
20 and

21 “(II) assisted with the process of
22 enrolling in the early college high
23 school or program;

24 “(v) to collect, share, and use data (in
25 compliance with section 444 of the General

1 Education Provisions Act (20 U.S.C.
2 1232g)) for program improvement and
3 program evaluation; and

4 “(vi) to review and strengthen its pro-
5 gram to maximize the potential that stu-
6 dents participating in the program will
7 eventually complete a recognized postsec-
8 ondary credential, including by opti-
9 mizing—

10 “(I) the curriculum of the pro-
11 gram;

12 “(II) the sequence of courses of-
13 fered by the program; and

14 “(III) the alignment of academic
15 calendars between the secondary
16 schools and the institution of higher
17 education participating in the pro-
18 gram.

19 “(B) NEW PROGRAMS.—In the case of an
20 eligible entity that uses a grant under this sec-
21 tion to establish an early college high school or
22 dual or concurrent enrollment program, the en-
23 tity shall use such funds during the first year
24 of the grant period—

1 “(i) to design the curriculum and se-
2 quence of courses in collaboration with, at
3 a minimum—

4 “(I) faculty from the institution
5 of higher education;

6 “(II) teachers and faculty from
7 the local educational agency; and

8 “(III) in the case of a career and
9 technical education program, employ-
10 ers or workforce development entities
11 to ensure that the program is aligned
12 with labor market demand;

13 “(ii) to develop and implement an ar-
14 ticipation agreement between the institu-
15 tion of higher education and the local edu-
16 cational agency that governs how sec-
17 ondary and postsecondary credits will be
18 awarded under the program; and

19 “(iii) to carry out the activities de-
20 scribed in subparagraph (A).

21 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-
22 ty may use grant funds received under this section
23 to support the activities described in its application
24 under subsection (i), including by—

1 “(A) purchasing textbooks and equipment
2 that support the program’s curriculum;

3 “(B) pursuant to the assurance provided
4 by the eligible entity under subsection (i)(3)(A),
5 paying tuition and fees for postsecondary
6 courses taken by students under the program;

7 “(C) incorporating work-based learning op-
8 portunities into the program (which may in-
9 clude partnering with entities that provide such
10 opportunities), including—

11 “(i) internships;

12 “(ii) career-based capstone projects;

13 “(iii) pre-apprenticeships and appren-
14 ticeships provided by eligible providers of
15 apprenticeship programs described in sec-
16 tion 122(a)(2)(B) of the Workforce Inno-
17 vation and Opportunity Act (29 U.S.C.
18 3152(a)(2)(B)); and

19 “(iv) work-based learning opportuni-
20 ties provided under chapters 1 and 2 of
21 subpart 2 of part A of title IV;

22 “(D) providing students with transpor-
23 tation to and from the program;

24 “(E) paying costs for—

1 “(i) high school teachers to obtain the
2 skills, credentials, or industry certifications
3 necessary to teach for the institution of
4 higher education participating in the pro-
5 gram; or

6 “(ii) postsecondary faculty to become
7 certified to teach high school; or

8 “(F) providing time during which sec-
9 ondary school teachers and faculty and faculty
10 from an institution of higher education can col-
11 laborate, which may include the planning of
12 team activities for such teachers and faculty.

13 “(i) APPLICATION.—

14 “(1) IN GENERAL.—To be eligible to receive a
15 grant under this section, an eligible entity shall sub-
16 mit to the Secretary an application at such time, in
17 such manner, and containing such information as
18 the Secretary may require.

19 “(2) CONTENTS OF APPLICATION.—The appli-
20 cation under paragraph (1) shall include, at min-
21 imum, a description of—

22 “(A) the partnership that comprises the el-
23 igible entity, including documentation of part-
24 ner commitments, resources and budget, roles,
25 and responsibilities;

1 “(B) how the partners that comprise the
2 eligible entity will coordinate to carry out the
3 mandatory activities described in subsection
4 (h)(1);

5 “(C) the number of students intended to
6 be served by the program and demographic in-
7 formation relating to such students;

8 “(D) how the eligible entity’s curriculum
9 and sequence of courses form a program of
10 study leading to a recognized postsecondary cre-
11 dential;

12 “(E) how postsecondary credits earned will
13 be transferable to institutions of higher edu-
14 cation within the State, including any applicable
15 statewide transfer agreements and any provi-
16 sions of such agreements that are specific to
17 dual or concurrent enrollment programs;

18 “(F) how the eligible entity will ensure
19 that students understand how credits earned by
20 such students will transfer;

21 “(G) outreach programs to provide sec-
22 ondary school students, especially those in mid-
23 dle grades, and their parents, teachers, school
24 counselors, and principals information about,

1 and academic preparation for, the early college
2 high school or other dual enrollment program;

3 “(H) how the eligible entity will determine
4 the eligibility of students for postsecondary
5 courses, including an explanation of the mul-
6 tiple factors the entity will take into account to
7 assess the readiness of students for such
8 courses; and

9 “(I) the sustainability plan for the early
10 college high school or other dual or concurrent
11 enrollment program.

12 “(3) ASSURANCES.—The application under
13 paragraph (1) shall include assurances from the eli-
14 gible entity that—

15 “(A) students participating in a program
16 funded with a grant under this section will not
17 be required to pay tuition or fees for postsec-
18 ondary courses taken under the program;

19 “(B) postsecondary credits earned by stu-
20 dents under the program will be transcribed
21 upon completion of the required course work;
22 and

23 “(C) instructors of postsecondary courses
24 under the program will meet the same stand-
25 ards applicable to other faculty at the institu-

1 tion of higher education that is participating in
2 the program.

3 **“SEC. 420X. GRANTS TO STATES.**

4 “(a) IN GENERAL.—The Secretary shall award
5 grants to States, on a competitive basis, to assist States
6 in supporting or establishing early college high schools or
7 dual or concurrent enrollment programs.

8 “(b) DURATION.—Each grant under this section shall
9 be awarded for a period of 6 years.

10 “(c) GRANT AMOUNT.—The Secretary shall ensure
11 that the amount of each grant under this section is suffi-
12 cient to enable each grantee to carry out the activities de-
13 scribed in subsection (f).

14 “(d) MATCHING REQUIREMENT.—For each year that
15 a State receives a grant under this section, the State shall
16 provide, from non-Federal sources, an amount equal to 50
17 percent of the amount of the grant received by the State
18 for such year to carry out the activities supported by the
19 grant.

20 “(e) SUPPLEMENT, NOT SUPPLANT.—A State shall
21 use a grant received under this section only to supplement
22 funds that would, in the absence of such grant, be made
23 available from other Federal, State, or local sources for
24 activities supported by the grant, not to supplant such
25 funds.

1 “(f) USES OF FUNDS.—

2 “(1) MANDATORY ACTIVITIES.—A State shall
3 use grant funds received under this section to—

4 “(A) support the activities described in its
5 application under subsection (g);

6 “(B) plan and implement a statewide
7 strategy for expanding access to early college
8 high schools and dual or concurrent enrollment
9 programs for students who are underrep-
10 resented in higher education to raise statewide
11 rates of secondary school graduation, readiness
12 for postsecondary education, and completion of
13 recognized postsecondary credentials, with a
14 focus on students academically at risk of not
15 enrolling in or completing postsecondary edu-
16 cation;

17 “(C) identify any obstacles to such a strat-
18 egy under State law or policy;

19 “(D) provide technical assistance (either
20 directly or through a knowledgeable inter-
21 mediary) to early college high schools and other
22 dual or concurrent enrollment programs, which
23 may include—

24 “(i) brokering relationships and agree-
25 ments that forge a strong partnership be-

1 tween elementary and secondary and post-
2 secondary partners; and

3 “(ii) offering statewide training and
4 peer learning opportunities for school lead-
5 ers, instructors, and counselors or advisors;

6 “(E) identify and implement policies that
7 will improve the effectiveness and ensure the
8 quality of early college high schools and dual or
9 concurrent enrollment programs, such as eligi-
10 bility and access, funding, data and quality as-
11 surance, governance, accountability, and align-
12 ment policies;

13 “(F) disseminate best practices for early
14 college high schools and dual or concurrent en-
15 rollment programs, which may include best
16 practices from programs in the State or other
17 States;

18 “(G) facilitate statewide secondary and
19 postsecondary data collection, research and
20 evaluation, and reporting to policymakers and
21 other stakeholders; and

22 “(H) conduct outreach programs to ensure
23 that secondary school students, their families,
24 and community members are aware of early col-

1 lege high schools and dual enrollment programs
2 in the State.

3 “(2) ALLOWABLE ACTIVITIES.—A State may
4 use grant funds received under this section to—

5 “(A) establish a mechanism to offset the
6 costs of tuition, fees, and support services for
7 low-income students enrolled in dual or concur-
8 rent enrollment programs or early college high
9 schools;

10 “(B) establish formal transfer systems
11 within and across State higher education sys-
12 tems, including two-year and four-year public
13 and private institutions, to maximize the trans-
14 ferability of college courses;

15 “(C) provide incentives to school districts
16 that—

17 “(i) assist high school teachers in get-
18 ting the credentials needed to participate
19 in dual or concurrent enrollment and early
20 college high school programs; and

21 “(ii) encourage the use of college in-
22 structors to teach college courses in high
23 schools; and

24 “(D) support initiatives to improve the
25 quality of dual or concurrent enrollment pro-

1 grams at participating institutions, including by
2 assisting such institutions in aligning programs
3 with the quality standards described in section
4 5(f)(3).

5 “(g) STATE APPLICATIONS.—

6 “(1) APPLICATION.—To be eligible receive a
7 grant under this section, a State shall submit to the
8 Secretary an application at such time, in such man-
9 ner, and containing such information as the Sec-
10 retary may require.

11 “(2) CONTENTS OF APPLICATION.—The appli-
12 cation under paragraph (1) shall include, at min-
13 imum, a description of—

14 “(A) how the State will carry out the man-
15 datory State activities described subsection
16 (f)(1);

17 “(B) how the State will ensure that any
18 programs funded with a grant under this sec-
19 tion are coordinated with programs under—

20 “(i) the Carl D. Perkins Career and
21 Technical Education Act of 2006 (20
22 U.S.C. 2301 et seq.);

23 “(ii) the Workforce Innovation and
24 Opportunity Act (29 U.S.C. 3101 et seq.);
25 and

1 “(iii) the Elementary and Secondary
2 Education Act of 1965 (20 U.S.C. 6301 et
3 seq.);

4 “(C) how the State intends to use grant
5 funds to address achievement gaps for each cat-
6 egory of students described in section
7 1111(b)(2)(B)(xi) of the Elementary and Sec-
8 ondary Education Act of 1965 (20 U.S.C.
9 6311(b)(2)(B)(xi)) as identified by the State in
10 its accountability system under section 1111(c)
11 of the Elementary and Secondary Education
12 Act of 1965 (20 U.S.C. 6311(c));

13 “(D) how the State will access and lever-
14 age additional resources necessary to sustain
15 early college high schools or other dual or con-
16 current enrollment programs;

17 “(E) how the State will identify and elimi-
18 nate barriers to implementing effective early
19 college high schools and dual or concurrent en-
20 rollment programs after the grant expires, in-
21 cluding by engaging businesses and nonprofit
22 organizations; and

23 “(F) such other information as the Sec-
24 retary determines to be appropriate.

1 **“SEC. 420Y. REPORTING AND OVERSIGHT.**

2 “(a) IN GENERAL.—Not less frequently than once
3 annually, each State and eligible entity that receives a
4 grant under this subpart shall submit to the Secretary a
5 report on the progress of the State or eligible entity in
6 carrying out the programs supported by such grant.

7 “(b) FORM OF REPORT.—The report under sub-
8 section (a) shall be submitted to the Secretary at such
9 time, in such manner, and containing such information as
10 the Secretary may require. The Secretary shall issue uni-
11 form guidelines describing the information that shall be
12 reported by grantees under such subsection.

13 “(c) CONTENTS OF REPORT.—

14 “(1) IN GENERAL.—The report under sub-
15 section (a) shall include, at minimum, the following:

16 “(A) The number of students enrolled in
17 the early college high school or dual or concur-
18 rent enrollment program.

19 “(B) The number and percentage of stu-
20 dents enrolled in the early college high school or
21 dual or concurrent enrollment program who
22 earn a recognized postsecondary credential con-
23 currently with a high school diploma.

24 “(C) The number of postsecondary credits
25 earned by eligible students while enrolled in the
26 early college high school or dual or concurrent

1 enrollment program that may be applied toward
2 a recognized postsecondary credential.

3 “(D) The number and percentage of stu-
4 dents who earn a high school diploma.

5 “(E) Total number and percentage of eligi-
6 ble students who enroll in and subsequently
7 complete the early college high school or dual or
8 concurrent enrollment program.

9 “(F) The number and percentage of grad-
10 uates who enroll in postsecondary education, in
11 military service, and in employment.

12 “(2) CATEGORIES OF STUDENTS.—The infor-
13 mation described in each of subparagraphs (A)
14 through (F) of paragraph (1) shall be set forth sepa-
15 rately for each category of students described in sec-
16 tion 1111(b)(2)(B)(xi) of the Elementary and Sec-
17 ondary Education Act of 1965 (20 U.S.C.
18 6311(b)(2)(B)(xi)).

19 **“SEC. 420Z. NATIONAL ACTIVITIES.**

20 “(a) REPORTING BY SECRETARY.—Not less fre-
21 quently than once annually, the Secretary shall submit to
22 Congress a report that includes—

23 “(1) an analysis of the information received
24 from States and eligible entities under section 7;

1 “(2) an identification of best practices for car-
2 rying out programs supported by grants under this
3 subpart; and

4 “(3) the results of the evaluation under sub-
5 section (b).

6 “(b) NATIONAL EVALUATION.—Not later than 6
7 months after the date of the enactment of this subpart,
8 the Secretary shall seek to enter into a contract with an
9 independent entity to perform an evaluation of the grants
10 awarded under this subpart. Such evaluation shall apply
11 rigorous procedures to obtain valid and reliable data con-
12 cerning student outcomes by social and academic charac-
13 teristics and monitor the progress of students from sec-
14 ondary school to and through postsecondary education.

15 “(c) TECHNICAL ASSISTANCE.—The Secretary shall
16 provide technical assistance to States and eligible entities
17 concerning best practices and quality improvement pro-
18 grams in early college high schools and dual or concurrent
19 enrollment programs and shall disseminate such best prac-
20 tices among eligible entities, States, and local educational
21 agencies.

22 **“SEC. 402AA. RULES OF CONSTRUCTION.**

23 “(a) EMPLOYEES.—Nothing in this subpart shall be
24 construed to alter or otherwise affect the rights, remedies,
25 and procedures afforded to the employees of local edu-

1 cational agencies (including schools) or institutions of
2 higher education under Federal, State, or local laws (in-
3 cluding applicable regulations or court orders) or under
4 the terms of collective bargaining agreements, memoranda
5 of understanding, or other agreements between such em-
6 ployees and their employers.

7 “(b) GRADUATION RATE.—A student who graduates
8 from an early college high school supported by a grant
9 under section 5 within 100 percent of the normal time
10 for completion described in the eligible entity’s application
11 under such section shall be counted in the four-year ad-
12 justed cohort graduation rate for such high school.”.

